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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERIC JAMAR GOODALL,

Defendant.

2:15-cr-00077-JCM-VCF

ORDER

Before the Court are the following motions:

1. Defendant's Motion to Dismiss Indictment (ECF NO. 93),

2. Defendant's Motion for Temporary Exemption from Local Rule 10-6(a) (ECF NO. 94),

3. Defendant's Motion to Dismiss Indictment for Lack of Prosecutorial Jurisdiction and Subject-Matter Jurisdiction (ECF NO. 96),

5. Defendant's Motion for Temporary Exemption from Local Rule IA 10-6(a) (ECF NO. 97), and,

6. United States' Motion to Strike Defendant's Filings of Motion to Order Dismissal of Indictment and Motion for Temporary Exemption from Rule 10-6(a) (ECF No. 95 & 98).

Background:

On May 26, 2015, Defendant pled guilty to count(s) 1, 2, and 4 of the indictment. (ECF NO. 65). Sentencing is scheduled for July 28, 2016. (ECF NO. 89). Defendant Goodall filed four motions on his own behalf. Two motions to dismiss indictment and two motions for temporary exemption from Local Rule 10-6(a). The government moves to strike these filings.

Yi Lin Zheng, Esq. was appointed as counsel of record on January 15, 2016. (ECF NO. 84). She is currently Defendant's counsel and has not withdrawn from this matter. (ECF NO. 85).

1 Pursuant to Local Rule IA 11-6(a), “[a] party who has appeared by attorney cannot while so
2 represented appear or act in the case. This means that once an attorney makes an appearance on behalf of
3 a party, that party may not personally file a document with the court; all filings must thereafter be made
4 by the attorney.” Here, Yi Lin Zheng, Esq. is defendant’s counsel of record and has not filed a motion to
5 withdraw as counsel; thus, defendant may not file motions on his own behalf. *See* Local Rule IA 11-6(a).

6 Accordingly, for the reasons stated above,

7 IT IS HEREBY ORDERED that the following motions are deemed improper and STRICKEN:

- 8 1. Motion to Dismiss Indictment (ECF NO. 93),
9 2. Motion for Temporary Exemption from Local Rule 10-6(a) (ECF NO. 94),
10 3. Motion to Dismiss Indictment for Lack of Prosecutorial Jurisdiction and Subject-Matter
11 Jurisdiction (ECF NO. 96), and,
12 4. Motion for Temporary Exemption from Local Rule IA 10-6(a) (ECF NO. 97).

13 IT IS FURTHER ORDERED that United States' Motion to Strike Defendant's Filings of Motion
14 to Order Dismissal of Indictment and Motion for Temporary Exemption from Rule 10-6(a) (ECF Nos. 95
15 and 98) are GRANTED.

16 DATED this 10th day of June, 2016.



17 CAM FERENBACH
18 UNITED STATES MAGISTRATE JUDGE
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